

JANUARY 15, 2019

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, January 15, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners
Patricia "Pat" Cotham, Trevor M. Fuller,
Susan B. Harden, Mark Jerrell, Vilma D. Leake,
Elaine Powell, Susan Rodriguez- McDowell, and
Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Tyrone C. Wade
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chair Dunlap, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) to be removed from Consent and voted upon separately. The items identified were Items: 18-5075, 18-5099, 18-5102, 18-5104, 18-5105, 18-5106, 18-5114, 18-5116, 19-5129, 19-5131, 19-5134.

CLOSED SESSION

18-5113 CONSULT WITH ATTORNEY

JANUARY 15, 2019

18-5118 LAND ACQUISITION

County Attorney Wade announced there were no Consult with Attorney matters to be discussed in Closed Session.

County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel(s): 221-091-01, 229-021-19, 229-021-14, 229-021-05, 229-021-13, 229-021-87, 229-021-03, 229-021-22 (+/- 37 acres) and Tax Parcel 229-056-99 (+/- 37 acres).

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:03 p.m. and came back into Open Session at 5:50 p.m.

STAFF BRIEFINGS

Chair Dunlap asked to be excused from participating in the Staff Briefing matter that would be addressed by the County Attorney to avoid a conflict of interest.

Motion was made by Commissioner Powell, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to excuse Chair Dunlap from participating in the Staff Briefing matter that would be addressed by the County Attorney to avoid a conflict of interest.

Chair Dunlap left the meeting and was absent until noted in the minutes.

Vice Chair Powell chaired the meeting until noted in the minutes.

19-5138 POLICY REVIEW

County Attorney Wade addressed the County's Ethics policy, specifically, the section regarding the acceptance of gifts and attendance at events. SECTION 1: Standards of Conduct (f) Gifts:

"No County Official shall directly or indirectly solicit any gift, or accept or receive any gift, including a gift made to the County by a third party or entity, having a value of two hundred dollars (\$200.00) or more, or gifts from any one person or entity with an aggregate value of \$200 or more in any 12-month period, whether in the form of money, services, loan, travel,

JANUARY 15, 2019

entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence, or could reasonably be expected to influence, a County Official in the performance of his or her official duties, or was intended as a reward for any official action on his or her part. Legitimate political contributions shall not be considered as gifts under the provisions of this paragraph.”

“This subsection is not intended to prevent the gift and receipt of honorariums for participating in meetings or meals furnished at banquets. Further, this section is not intended to prevent participation by a County Commissioner or County Manager in community events or functions that are of the nature where, by virtue of the office or position held, attendance benefits the county, then attendance will not be considered a violation of this policy unless the value of the event or function exceeds the threshold amount of \$200.00 or attendance could be viewed as a reward or influence, for action taken, or to be taken, by the County in some manner, in which case the county official should either pay any amount in excess of the threshold of \$200.00 or not attend the event or function.”

County Attorney Wade noted the upcoming NBA All-Star game to be held in Charlotte/Mecklenburg County in February.

County Attorney Wade said he spoke with an attorney for the NBA regarding their desire to invite the Chair of the Board of County Commissioners, the Mayor of Charlotte and a state official, the Governor, to an event and to also sit in an Executive suite at the game as the official representative for each entity. He said the value of the suite seat was \$1,200, which exceeded the County’s gift threshold amount. County Attorney Wade said in order for the Chair to accept the NBA’s invite, the Board would need to allow an exception to the County’s Ethics policy.

County Attorney Wade said tickets received and events that other Commissioners were invited to were in compliance with the County’s Ethics Policy.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell Rodriguez-McDowell, and Scarborough voting yes, to make an exception to the County’s Ethics Policy with respect to the acceptance of gifts, to allow Chair Dunlap to accept the invite from the NBA to sit in an Executive suite at the upcoming NBA All-Star game to be held in Charlotte/Mecklenburg County in February; the value of which exceeds the County’s gift threshold limit as stated in the Ethics Policy.

Prior to the above vote, there was discussion regarding the County’s gift threshold of \$200.00.

JANUARY 15, 2019

Commissioner Jerrell asked what could be done to amend the policy to avoid having to make such exceptions on an ad hoc basis.

County Manager Diorio said the matter could be taken to the Board's Audit Review Committee for discussion and a recommendation back to the full Board for consideration. She shared some history as to how this section of the policy came about.

Commissioners Fuller and Leake also expressed a desire to amend the policy.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

Chair Dunlap returned to the meeting and assumed chairmanship.

-FORMAL SESSION-

Chair Dunlap called this portion of the meeting to order which was followed by introductions, his invocation, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

CHAIR UPDATES

Chair Dunlap noted the matters below for information purposes.

- 1) **Staff Follow-up with Public Speakers:** Staff followed-up with all members of the public that came to speak at Board meetings, since the sitting of the current Board. This process will continue.
- 2) **Board Support Hiring:** Staff continues to work on filling the two vacancies in Board Support. In the interim, a temporary staff person was hired to work with Board members as needed. Her name is Lisa Bropleh.
- 3) **Meetings with Other Elected Officials:**
 - The Chair, Vice Chair, and County Manager met with the Mayors and Town Managers of Huntersville, Cornelius, Davidson and Pineville. Commissioner Rodriguez-McDowell attended the meeting with the Town of Pineville. The meetings went well, and everyone agreed to meet on a more regular basis.
 - Meetings with the Towns of Matthews and Mint Hill have been scheduled for later this

JANUARY 15, 2019

month.

- The Chair, Vice Chair, and County Manager met with City of Charlotte Mayor Vi Lyles, Mayor Pro-Tem Julie Eiselt and City Manager Marcus Jones. Various topics were discussed and there was a commitment to work collaboratively and to meet on a regular basis.
 - The Chair, Vice Chair, and County Manager met with School Board Chair Mary McCray, Vice-Chair Elyse Dashew and School Superintendent Dr. Clayton Wilcox. A joint meeting of both boards was scheduled for February 21st at 3:00 PM. The County Manager and Superintendent will work on the agenda.
- 4) **Community Budget Survey:** The response to the community budget survey has been very positive. As of 1/14, 610 online surveys had been completed. In addition, three locations ran out of paper surveys and additional copies were provided. The online survey was also translated into Spanish.
 - 5) **Agenda Review Meetings:** Since the election of new board members, staff has held agenda review meetings with new members to go over the agenda items. There was interest in this process continuing and it would be open to all Board members. Board members must sign-up in advance, so staff can determine the number of sessions that need to be held. The County Manager would follow-up with more details.
 - 6) **Election of Sheriff:** Going forward, staff will ensure in advance of each Sheriff election, that the Board of County Commissioners votes on a new filing fee for the office. This would avoid the issue that occurred this past year regarding the incoming Sheriff's salary. The issue was resolved, and the Board looked forward to working closely with Sheriff McFadden.
 - 7) **Revaluation:** Charlotte City Council plans to send a resolution to have the BOCC consider revaluation every 4 years.
 - 8) **Advisory Board Appointment Recommendations:** Staff has been asked to make recommendations when they believe a candidate best suite the need of a committee.

AWARDS/RECOGNITION – NONE

JANUARY 15, 2019

PUBLIC APPEARANCE

18-5111 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda:

Tera Long asked the Board to continue to support the Health Department and create a separate Board of Health to oversee the Health Department.

Erinn Rochelle asked the Board to fund things that would help people in need.

Murray Whisnant addressed the redevelopment of Second Ward and specifically, Marshall Park. He said the redevelopment of Second Ward presented an opportunity to remake both Martin Luther King Boulevard and Marshall Park into "memorable expressions, or Charlotte's "new thing".

Mr. Whisnant provided the Board with a handout regarding his interest in Marshall Park being preserved.

A copy of Mr. Whisnant's handout is on file with the Clerk to the Board.

Hannah- Marie Warfle a Social Worker at the Salvation Army Center of Hope addressed the housing needs of the homeless. She asked the Board to consider using surplus land for housing opportunities.

Michael O'Sullivan with OneMeck Affordable Housing addressed the need for affordable housing. He said developers should be required to set aside 20% of the housing units to be built for persons earning 30% or less of the area median income.

Julie Porter with Friends of the Housing Partnership addressed the need for affordable housing and for the Board's involvement.

Mable Hemphill addressed displaced homemakers in Mecklenburg County. She said the Board would receive a report in the near future regarding displaced homemakers and a request for feedback.

Rick Pennebaker addressed greenways and asked the Board to complete the greenway system.

JANUARY 15, 2019

Bill and Marlene Pierson and David Pearson spoke in opposition to the Sheriff's ending of the contract with ICE.

James Lee III addressed the need for affordable housing and the Grier Heights Community. He said he would be coming before the Board on a regular basis speaking on behalf of those that can't or won't speak for themselves regarding their needs.

Maureen Gilewski on behalf of CharlotteEAST's Transportation Advocacy group spoke in support of greenways and public transportation. She shared a handout regarding their interest.

A copy of the handout is on file with the Clerk to the Board.

Jennifer Miller signed up to speak but did not appear.

APPOINTMENTS

18-5100 APPOINTMENTS

BOARD OF EQUALIZATION AND REVIEW

Commissioner Harden, Chair of the Board's Ad Hoc Committee for appointments to the Board of Equalization and Review, presented the Committee's recommendation. The other committee members were Commissioners Cotham, Leake and Rodriguez-McDowell.

The committee voted unanimously to recommend the appointment of Steven Dobbs and Gregory Roberts for three-year terms expiring April 16, 2022.

The other nominees were: Russell Allen, Eric Anderson, and Jeff Scott. Eric Anderson and Russell Allen were unable to accept the interview invite because of prior engagements.

A copy of the Committee's letter of recommendation is on file with the Clerk to the Board.

The vote was taken on the following nominees for appointments to the Board of Equalization and Review:

Steven Dobbs	Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough
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JANUARY 15, 2019

Gregory Roberts

Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough

Voting Ceased

Jeffrey Scott

Chair Dunlap announced the appointments of Steven Dobbs and Gregory Roberts to the Board of Equalization and Review for three-year terms expiring April 16, 2022.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

The vote was taken on the following nominees for appointment to the Charlotte-Mecklenburg Community Relations Committee

Brooke Adams

Commissioner Harden

Delma Kendrick

Commissioner Leake

Marque Macon

None

Manisha Parekh

Commissioners Cotham, Dunlap, Fuller, Jerrell, Rodriguez-McDowell, and Powell

Micha Simmons

None

Chair Dunlap announced the appointment of Manisha Parekh to the Charlotte-Mecklenburg Community Relations Committee to fill an unexpired term expiring September 30, 2020.

She replaced Domar Bailey.

INFORMATION SERVICES & TECHNOLOGY COMMITTEE

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to appoint Walid Omar Hamid, Kevin Hayes and Hope McKinney to the Information Services & Technology Committee to fill unexpired terms, which will be assigned by the Clerk.

Note: Walid Omar Hamid and Kevin Hayes were assigned to fill unexpired terms expiring February 28, 2019 and Hope McKinney to fill an unexpired term expiring February 28, 2021.

They replaced Frank Benson, Nicole Calhoun, and David Hill.

JANUARY 15, 2019

PARK AND RECREATION COMMISSION

The vote was taken on the following nominees for appointment to the Park and Recreation Commission:

Jason Daniel Cook
Mark Loflin

Commissioners Cotham, Dunlap, and Harden
Commissioners Fuller, Jerrell, Leake, Powell, and
Rodriguez-McDowell

Chair Dunlap announced the appointment of Mark Loflin to the Park and Recreation Commission to fill unexpired term expiring June 30, 2020.

Note: He replaced John Leonard.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to appoint Kenneth Fields, Brian James, Matthew King, Latecia Manuel, Raj Parikh, and Florence Wilkins to the Small Business and Entrepreneurship Advisory Board to terms which will be assigned by the Clerk.

Note: Kenneth Fields, Brian James, Matthew King, and Latecia Manuel were assigned three-year terms expiring June 30, 2021 and Raj Parikh and Florence Wilkins to fill unexpired terms expiring June 30, 2019.

Note: They replaced Theresa Braswell, Nikita Devereaux, Betty Leake, Susan McDonough, Austin Morphies, and Sasha Tomaszynski.

WOMEN'S ADVISORY BOARD

The vote was taken on the following nominees for appointments to the Women's Advisory Board:

Round One

Taisha Abreu

None

JANUARY 15, 2019

Maura Chavez
Jamilah Espinosa

Yolonda Holmes
Delma Kendrick
Alexis Kondratyk
Kristen Moyer

Commissioner Fuller
Commissioners Dunlap, Fuller, Harden, Jerrell, Rodriguez-
McDowell and Powell
Commissioners Cotham, Dunlap, Powell, and Scarborough
Commissioner Cotham
Commissioner Rodriguez-McDowell and Powell
Commissioners Jerrell and Harden

Round Two

Yolonda Holmes

Commissioners Dunlap, Fuller, Harden, Leake, Powell, and
Scarborough

Voting Ceased

Delma Kendrick
Alexis Kondratyk
Kristen Moyer

Chair Dunlap announced the appointments of Jamilah Espinosa and Yolonda Holmes to the Women's Advisory Board to fill unexpired terms expiring November 30, 2019.

Note: They replaced Lahari Jones and Barbara Thomas.

18-5124 NOMINATIONS/APPOINTMENTS

CITIZEN'S CAPITAL BUDGET ADVISORY COMMITTEE

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to appoint Susan Flowers and Craig Vesling to the Citizen's Capital Budget Advisory Committee to fill unexpired terms expiring July 31, 2019.

Note: They replaced Ashley Farley and Rachel Martin.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Jerrell, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to nominate and appoint Debbie Bradley to the

JANUARY 15, 2019

Nursing Home Community Advisory Committee for a one-year term expiring January 30, 2020.

19-5132 TOWN OF HUNTERSVILLE PLANNING BOARD

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to appoint Scott Hensley as the Extraterritorial Jurisdiction (ETJ) member of the Town of Huntersville Planning Board as recommended by the Town of Huntersville Board of Commissioners, per action taken on December 17, 2018, with a term effective immediately through June 30, 2021.

Note: He replaced JoAnne Miller.

PUBLIC HEARINGS

18-5122 BUDGET PUBLIC HEARING – FISCAL YEAR 2020

The Board received citizen input as part of the Fiscal Year 2020 Budget Development Process. The topics addressed were:

- 1. Park and Recreation Funding/Greenways**
- 2. Education**
- 3. Meck Pre-K**
- 4. Affordable Housing**
- 5. Health Department Funding**
- 6. Gun Violence Prevention**
- 7. Environment/Climate Change**

Park and Recreation Funding/Greenways

The following persons spoke in support of continued and increased funding for Park and Recreation, including funding for greenways:

Heidi Pruess, Chair of the Park and Recreation Commission, Vice Chair Rick Winiker, Commission member Peter Engels and Ms. Stover, a senior citizen user of Park and Recreation facilities, Dick Winters, Doug Burnette, Brett Tempest, Nancy Nicholson, Ruth Grissom, Ernie McLaney, Margaret Sexton, James Lee, Adam Getchell, Ryan Wakefield, Tobe Holmes, and Kip Kiser.

JANUARY 15, 2019

Note: Ed Barnhart and Andrew Bio registered to speak but were not present.

Education

The following persons spoke in support of continued and increased funding for Education, including teacher pay, and strategic resourcing: Justin Parmenter, Kevin Poirier, Amanda Thompson, Courtney Stallman, Arthur Griffin, and Allen Nelson.

Note: Melissa Easley and Erlene Lyde registered to speak but were not present.

Meck Pre-K

The following persons spoke in support of continued and increased funding for Meck Pre-K: Sonya McCrea, Latoya Scott, Cheryl Milam, Kimberly Follis, Yaritza Miranda, Martine Jordan, Kevin Campbell, Edie Rangel, George Beckwith, Yuly Rodriguez, Nancy Hughes,

Note: Joanna Schimizzi registered to speak but were not present.

Affordable Housing

The following persons addressed the need for the County's involvement in providing Affordable Housing: Peter Kelly, Mary Kelly, and John Divine.

Health Department Funding

The following person spoke in support of continued funding for the Health Department: Rachel Brummert.

Gun Violence Prevention

The following person addressed Moms Demand Action for Gun Sense in America and asked the Board to support its initiatives: Shannon Klug. She was joined at the podium by Stefanie Groot and others.

Environment/Climate Change

The following person addressed the environment and climate change: Samuel Spencer.

Note: Chair Dunlap left the dais and was not present when the following speakers spoke: Shannon Klug, Adam Getchell, John Devine, and James Lee. Vice Chair Powell chaired the meeting during his absence.

Chair Dunlap thanked those that spoke for coming and providing input to the Board.

JANUARY 15, 2019

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

18-5120 MECKLENBURG COUNTY PUBLIC HEALTH TRANSFORMATION PLAN UPDATE

The Board received an update from Health Director, Gibbie Harris on the Mecklenburg County Public Health Transformation Plan.

Note: In August 2017, the Board of County Commissioners' Audit Review Committee received the Public Health Implementation Plan that begins the process of improving service delivery in multiple ways. Director Harris updated the Board on the work completed to date and the work scheduled to occur over the next year. The topics covered were:

- *Organizational Development & Change Management*
- *Clinical Care Delivery Model*
- *Electronic Medical Records (EMR) Optimization*
- *Cerner EtrebyPharmacy Management System*
- *Strategic Laboratory Management Affiliation*

A copy of a report is on file with the Clerk to the Board.

Comments

Commissioners thanked Director Harris for the update and complimented she and her staff on the progress that was being made. She was asked to keep the Board informed and to let the Board know if additional staff was needed.

Commissioner Fuller asked was there a mechanism in place to measure the results, which was addressed. *Director Harris said a specific plan for measuring results was forthcoming.*

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

JANUARY 15, 2019

19-5128 BOARD COMMITTEES AFFIRMATION (CHAIR DUNLAP)

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to:

A) Re-affirm the following Board committees for calendar year 2019:

1) ECONOMIC DEVELOPMENT COMMITTEE

Note: Responsible for making recommendations that contribute to business and job growth in Mecklenburg County.

Members: Commissioners Trevor M. Fuller (Chair), Susan B. Harden, Mark Jerrell, and Susan Rodriguez-McDowell

2) HEALTH AND HUMAN SERVICES COMMITTEE

Note: Responsible for making recommendations to improve the health and well-being of Mecklenburg County residents with emphasis on children, seniors and families.

Members: Commissioners Vilma D. Leake (Chair), Susan Rodriguez-McDowell, Mark Jerrell, and Elaine Powell

3) INTERGOVERNMENTAL RELATIONS COMMITTEE

Note: Responsible for helping coordinate the intergovernmental relations between and among Mecklenburg County and all the governing bodies operating within the County at the federal, state and local levels.

Members: Commissioners Mark Jerrell (Chair), Pat Cotham, Susan B. Harden, and Susan Rodriguez-McDowell

4) PERFORMANCE REVIEW COMMITTEE

Note: Responsible for reviewing the performance of the County Manager.

Members: Commissioners Elaine Powell (Chair), Trevor M. Fuller, Vilma D. Leake, and Susan

JANUARY 15, 2019

Rodriguez-McDowell

B) Establish the following new Board committee: Environmental Stewardship Committee

Note: Responsible for making recommendations that sustain and enhance the environment in a manner that conserves and protects our air, water, land and biological resources.

Members: Commissioners Elaine Powell (Chair), Mark Jerrell, Susan Rodriguez-McDowell, and Ella B. Scarborough

C) Receive as information, the Board Liaison Assignments as assigned by Chair Dunlap

Note: Chair Dunlap said he would be seeking an alternate to serve on the Charlotte Regional Transportation Planning Organization in addition to his serving. He asked Commissioner Harden to consider serving as the alternate. Commissioner Harden said she would.

Chair Dunlap noted the appointment of Commissioners Cotham and Leake to the Charlotte Area Fund Board of Directors. Note: Commissioners have the option of serving themselves or appointing a citizen representative.

A list of the Board Liaison Assignments is on file with the Clerk to the Board.

19-5139 AUDIT REVIEW COMMITTEE APPOINTMENTS (CHAIR DUNLAP)

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to reaffirm the establishment of the Audit Review Committee and appoint Commissioners Pat Cotham (Committee Chair), Trevor M. Fuller, Susan B. Harden, and Ella B. Scarborough as members and County Manager Dena R. Diorio and Assistant County Manager Mark Foster staff ex-officio representatives, for two-year terms expiring December 31, 2020.

Note: The resolution that established the Audit Review Committee states the Committee will be comprised of five voting members and two non-voting members appointed by the Board of County Commissioners according to its appointment process. The five voting members will be comprised of four members of the Board of County Commissioners, and to the degree possible, two of whom shall be from different political parties, when the Board of County Commissioners

JANUARY 15, 2019

political composition permits, and one outside person who has experience in accounting and/or auditing and who is appointed through the advisory board appointment process. Ideally, members on the Committees should possess some understanding of governmental financial reporting and auditing. The County Manager and a staff member designated by the County Manager will serve as the two non- voting ex officio members. The current outside appointee is Alexander Vuchnich.

Commissioner Fuller left the dais and was absent for the remainder of the meeting.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

18-5101 STORM WATER PROGRAM – FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Lorelie Moorefield, owner of property located at 5809 Wedgewood Drive, Charlotte, NC (tax parcel 171-091-11), for \$340,000; and
2. Accept the Offer of Sale of Real Estate from Jonathan Tripp, owner of property located at 1015 Mockingbird Lane, Charlotte, NC (tax parcel 171-082-16), for \$412,000; and
3. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use the structures for training exercises.

Note: These acquisitions are being done through the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

18-5108 BUDGET AMENDMENT – COUNTY MANAGER'S OFFICE (REVENUE INCREASE)

Recognize, receive, and appropriate donations totaling \$8,500 from various sponsors for an early childhood event.

JANUARY 15, 2019

Note: The Foundation for The Carolinas (FFTC) and Mecklenburg County have been asked to host a book signing for author, former Charlotte Observer editor and child advocate David Lawrence, Jr. Total costs for this event are anticipated at \$8,500. Funds are being received by the County, as the designated point of contact, for payment to various vendors. Local foundation and early childhood stakeholder sponsorships have been secured to cover the full cost of \$8,500. Mecklenburg County's contribution for this event are in-kind only (staff time/facility use donation). The sponsors are: Foundation For The Carolinas, Winer Family Foundation, Leading On Opportunity Council, TIAA, Smart Start of Mecklenburg County, and CCRI.

18-5109 AD VALOREM TAX ADVERTISEMENT

Order the advertisement of delinquent 2018 real estate and personal property taxes.

Notes: The advertisement is a notification to taxpayers of outstanding tax balances due. As of December 27, 2018, \$385,670,468.71 of the \$987,274,525.03 net levy remains unpaid. In accordance with NCGS 105-369(a), the governing board must order the Tax Collector to advertise the tax liens. The Tax Collector is ordered not to advertise tax bills included in approved payment arrangements as governed by Senate Bill 159 ratified by the General Assembly and Governor of North Carolina. The Tax Collector will contract with the Charlotte Observer to publish the advertisement on April 7, 2019. This newspaper meets the statutory requirements for publishing the delinquent taxpayer list. The cost of the advertisement is divided among, and charged to, the tax bills included in the advertisement. The charge per bill is \$3.45.

18-5112 MINUTES

Approve Minutes of Regular meeting held December 18, 2018.

18-5115 BUDGET AMENDMENT – DSS (REVENUE INCREASE/DECREASE)

Recognize, receive and appropriate a net increase in revenue in the amount of \$521,750 to reflect actual state and federal funding changes.

Note: During the fiscal year, Department of Social Services receives notification of modified funding for programs within the department from NC Division of Social Services and the NC Division of Aging and Adult Services. The changes include: Family Reunification Federal funding decrease of \$5,035, Low Income Energy Assistance Program Federal funding increase of

JANUARY 15, 2019

\$463,373, Case Worker Visit Federal funding increase of \$29,243, Social Services Block Grant Federal funding increase of \$33,988 and Energy Neighbor State funding increase of \$181.

18-5119 APPOINTMENT OF REVIEW OFFICERS

Amend "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2" to designate Angela Ferguson and Jay Camp as Review Officers and to remove Greg Van Hoose, Curtis Anthony, and Kathi Ingrish.

**AMENDMENT TO RESOLUTION DESIGNATING REVIEW OFFICERS TO REVIEW EACH MAP AND PLAT
RECORDED IN THE REGISTER OF DEEDS OFFICE PURSUANT TO N.C.G.S. 47-30.2**

WHEREAS, on September 16, 1997 the Mecklenburg County Board of Commissioners adopted a resolution entitled "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2"; and

WHEREAS, the Resolution has been amended multiple times to accommodate additions and deletions; and

WHEREAS, the Mecklenburg County Board of Commissioners now desires to amend the Resolution to make additional modifications. Now, therefore,

BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows:

1. Angela Ferguson, Jay Camp are hereby designated as Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus, the Resolution is accordingly amended to add these names.
2. Greg Van Hoose shall be deleted from the Resolution adopted on February 3, 2012; Curtis Anthony shall be deleted from the Resolution adopted on April 1, 2014; and Kathi Ingrish shall be deleted from the Resolution adopted on September 16, 1997.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

18-5121 TAX REFUNDS

1. Approve refunds in the amount of \$20,617.08 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

JANUARY 15, 2019

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the statewide vehicle tax system.

2. Approve refunds in the amount of \$63,497.77 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$1,138.71.

A list of the taxpayer recipients is on file with the Clerk to the Board.

19-5126 FEE ORDINANCE CHANGES TO LAND USE AND ENVIRONMENTAL SERVICES TO MEET THE NEW 2018 NORTH CAROLINE FIRE CODE (SECOND READING)

Adopt a resolution approving amendments/updates to the LUESA Fee Ordinance and the Fire Code Ordinance.

Note: On June 13, 2017, the North Carolina Department of Insurance (NCDI) with the North Carolina Building Code Council (NCBCC) approved the new 2018 North Carolina Building Code. The changes approved by the Building Code Council now require permits to be issued for the following specific uses and functions within the 2018 North Carolina Fire Code. The proposed fees associated with these permits are also noted below. Additional revenue from these fee changes is estimated to be de minimus, given the relative infrequency of these activities.

JANUARY 15, 2019

- Motor fuel dispensing \$90
- Membrane structures, tents and stages (400 sf or greater) \$180
- Carbon Dioxide System (Beverage Dispensing) \$90
- Repair garages and motor fuel-dispensing facilities \$180
- Solar photovoltaic power \$180
- Smoke control or smoke exhausted system installed \$240
- Gates and barricades across fire apparatus roads \$180

There are two other minor edits to bring the fee ordinance in line with current processes. These include changes to fire work permits located within City limits and are not issued by the Mecklenburg County Fire Marshal's Office (see LUESA Proposed Fee Ordinance Changes, page 14). These permits are issued by the Charlotte Fire Department and therefore should not be referenced in this ordinance. The other amendment is an adjustment to tents and air supported structures, bringing them in line with Charlotte Fire Department fees.

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

**19-5127 GRANT APPLICATION – CHARLOTTE OBSERVER SUMMER CAMP FUND GRANT
(PARK AND RECREATION)**

Approve a grant application of up to \$20,000 for a Charlotte Observer Summer Camp Grant; and if awarded, recognize, receive and appropriate such funds for the grant period.

Note: The Charlotte Observer Summer Camp Fund (COSCF) awards grants to summer camps to provide scholarships to low-income children in grades K-12. Grants must be used to expand the opportunities available to low-income campers. The goals of the COSCF are to help children develop a love of the outdoors, encourage continued learning through the summer, and to expand children's vision of what could be. The COSCF is grounded in the belief that low-income youth should have the opportunity to enjoy a summer camp experience that mirrors enrichment programs accessed by their middle and upper income peers. This grant will allow Park and Recreation staff to provide up to twenty-nine (29) 100% scholarships to low-income children for 4 weeks of nature-based summer camp.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

JANUARY 15, 2019

**18-5075 LAND ACQUISITION – STEWART CREEK GREENWAY AND STREAM
ENHANCEMENT**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of a permanent greenway easement (±0.2361 acres) and a permanent storm drainage easement (±0.1916 acres) on Tax Parcel 071-143-45 from Freddie Lee Mungo for the future construction of the Stewart Creek Tributary II Greenway and Stream Enhancement project for a purchase price of \$3,750.

Commissioner Leake removed this item from Consent for more public awareness.

**18-5099 CONSTRUCTION CONTRACT AWARD – MCDOWELL PARKING DECK-
STRUCTURAL REPAIRS PROJECT**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and

Scarborough voting yes, to award a contract to Strickland Waterproofing Company, Inc. in the amount of \$727,180 for the McDowell Parking Deck-Structural Repairs Project.

Note: The concrete structure of the McDowell Parking Deck is in need of repair due to spalls, cracks in the concrete spandrel panels and concrete double "T" beams, beam bearing issues, repointing of masonry walls, etc.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

**18-5102 GRANT APPLICATION – OFFICE ON VIOLENCE AGAINST WOMEN IN THE U.S.
DEPT OF JUSTICE**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve submission of a grant application in the amount of up to \$450,000 to the Office on Violence Against Women in the United States Department of Justice to provide transitional housing assistance to approximately 10-20 victims of domestic

JANUARY 15, 2019

violence in Mecklenburg County; and if awarded, recognize, receive and appropriate the grant funds.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

18-5104 CONSTRUCTION CONTRACT AWARD – WORK RELEASE AND RESTITUTION CENTER – PARTIAL HVAC REPLACEMENT PROJECT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to award a contract to TEAM Mechanical, LLC in the amount of \$643,820 for the Work Release and Restitution Center - Partial HVAC Replacement Project.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

18-5105 GRANT APPLICATION – FEMA HAZARD MITIGATION ASSISTANCE (LUESA)

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to:

1. Authorize the County Manager to apply for FEMA Hazard Mitigation Assistance grant funding of up to \$2,250,000 to be used for floodplain and stream restoration on Kings Branch; and
2. If awarded, recognize, receive and appropriate grant funds and any property owner matching funds available through completion of the project; and
3. Authorize the County Manager to execute contracts with the North Carolina Department of Public Safety, Division of Emergency Management.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

JANUARY 15, 2019

18-5106 GRANT APPLICATION – FY20 NCDOT URBAN STATE MATCH GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to:

- 1) Affirm submission of the North Carolina Department of Transportation's (NCDOT) Urban State Match Grant for Fiscal Year 2019-2020 submitted December 21, 2018; and
- 2) Recognize, receive and appropriate grant funds when awarded.

Note: The NCDOT Public Transportation Division has made available grant funding to assist counties receiving urban funding to reduce the local share. The Urban State Match Grant can be used as a match for both federal and local funded vehicle replacements. This will be a match to the 5307 Urbanized Area Formula Grant for FY20 approved and resolution completed on October 2, 2018. The 5307 match is 80% federal and 20% county. This Urban State Match grant will provide a 10% match reducing the county match to 10%. The grant was applied for to meet the submission deadline.

Commissioner Leake removed this item from Consent for more public awareness.

18-5114 GRANT APPLICATION – NC GOVERNOR'S CRIME COMMISSION – JUVENILE JUSTICE PLANNING COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes,

- 1) Approve submission of a grant application for a total of \$551,281 for the term of October 1, 2019 - September 30, 2021 to the US Department of Justice, Office of Justice Programs, and the Office of Juvenile Justice and Delinquency Prevention in support of 3 DSS (YFS) positions; and
- 2) If awarded, recognize, receive and appropriate the grant funds; and
- 3) Authorize three additional positions in the Department of Social Services, Youth and Family Services Division: 3 Mental Health Licensed Clinicians (market rate: \$67,507).

JANUARY 15, 2019

Note: Child protective services social workers are often exposed to secondary traumatic stress (STS) during their work. STS is compounded when the workers are faced with a child fatality on a new or open case. Presently, Youth and Family Services (YFS) has no coordinated response for the benefit of workers responding to fatalities; and because of this, YFS does not consistently utilize best practices with staff to address and manage STS. Response to the effect of fatalities in a way that reduces STS and supports staff in the days following a fatality is necessary for staff's emotional and mental health, and ultimately reduces burnout and increases staff retention. This grant would allow for the creation of a team of clinicians who will immediately respond for the benefit of social workers who are faced with child fatalities and other critical incidents. The addition of a Fatality/Critical Incident Response Team will allow the agency to advance the agency's Practice Model initiative and support the agency's Organizational Health strategies. The Fatality/Critical Incident Response Team will also work with the Mecklenburg County Child Fatality Prevention and Protection Team (CFPPT) to integrate and communicate recommendations made by the Mecklenburg CFPPT, the State Child Fatality Prevention Team, and the Child Fatality Task Force.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

18-5116 GRANT AMENDMENT – FY20 NCDOT 5307 URBAN GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve amendment of North Carolina Department of Transportation (NCDOT) 5307 Urban Grant Local Share Certification for Funding for the increase of county funds match from 10% to 20%.

Note: The NCDOT Public Transportation Division has made the County aware of a "misprint in the guidance for the FY20 5307 Capital guidance document", which should have stated that State funds are not allowed as a match for this program, only local at 20%/Federal 80%." This requires the County to provide the full share of matching at 20%. To qualify for the Grant, Board approval is required to update the local share certification to show a 20% match instead of a 10% match.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

JANUARY 15, 2019

18-5117 LAND DONATION – LITTLE SUGAR CREEK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to accept donation of a portion of Tax Parcel 083-047-01 (+/- .490 acres) from WDF-4 Wood Noda Owner, LLC for Park & Recreation purposes.

Note: The property is located at the intersection of North Brevard and East 25th Street in the NoDa Neighborhood of Charlotte. The portion of the property to be donated is located entirely within the FEMA-designated floodplain and water quality buffer along Little Sugar Creek. Acquisition of this property continues the County's efforts to acquire land holdings along Little Sugar Creek for greenway development and the preservation of the floodplain.

Commissioner Powell removed this item from Consent for more public awareness.

**19-5129 CAPITAL RESERVE EXPENDITURE REQUEST – THE EFFORTLESS GOLD CENTER
(PARK AND RECREATION)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve expenditure of \$90,000 from the Consolidated Golf Capital Reserve account for improvement projects to The Effortless Golf Center.

Note: These projects will be funded from the Consolidated Golf Capital Reserve account in the amount of \$90,000 and include: 1) painting of light poles, 2) replacing lights and covers in the driving range field, 3) asphalt work, 4) HVAC repairs for the shop, 5) irrigation/turf work around the facility, and 6) repairs to the outside of the shop structure. The improvements will help preserve and offer a quality facility to the public.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

**19-5131 DONATION OF OUTDOOR SPORT COURT FROM NANCY LIEBERMAN CHARITIES
– NAOMI DRENAN RECREATION CENTER AT GRAYSON PARK**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to recognize and receive the donation and installation of

JANUARY 15, 2019

an outdoor custom Sport Court at Naomi Drenan Recreation Center valued at \$130,000 from Nancy Lieberman Charities.

Note: Nancy Lieberman Charities, a 501c3 children's charity in partnership with Under Armour, is proposing to refurbish the outdoor basketball courts at Naomi Drenan Recreation Center, owned by Mecklenburg County. To date, Nancy Lieberman Charities has opened 68 Dream Courts (outdoor basketball courts) across the United States serving over 2.9 million children each year. This state-of-the-art play space gives children a safe place to play the game of basketball. The rendering of the proposed Dream Court has significance to the well-known basketball Curry family; Dell, Stephen, and Seth. The number 30 in the middle of the court represents the number 30 on each of their basketball jerseys. The signatures are of Dell, Stephen and Seth in the lanes on the court. They are proposing to open this court before NBA All-Star Weekend with the Curry Family, Nancy Lieberman Charities, Naomi Drenan Recreation Center and Mecklenburg County.

Commissioner Leake removed this item from Consent for more public awareness and clarity.

County Manager Diorio addressed this matter.

19-5134 SUB-LEASE TO CHARLOTTE CENTER CITY PARTNERS – RENAISSANCE PARK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-1 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, and Commissioner Powell voting no, to authorize the County Manager to negotiate and execute a sub-lease agreement with Charlotte Center City Partners (CCCP) on a +/- 1.09 acres portion of Renaissance Park (Tax Parcel 143-281-01) for construction, operation, and maintenance of a storage facility and workspace for CCCP's recreational and entertainment events.

Note: Charlotte Center City Partners currently leases a County-owned warehouse on Remount Road in Charlotte to store Thanksgiving Day Parade floats and props and other items related to recreational/entertainment events. However, the County's Park & Recreation Department has determined that it needs to utilize the Remount warehouse for park operations due to the opening of new park facilities and investment in capital projects. Due to this, the County and CCCP agreed that CCCP will vacate the warehouse.

At its September 18, 2018 meeting, the Board of County Commissioners approved agenda item 18-4934, to appropriate \$150,000 to Charlotte Center City Partners (CCCP) to provide assistance with constructing a new facility to store items related to recreational/entertainment events.

JANUARY 15, 2019

Subsequently, CCCP has procured a 60' x 140' portable metal storage structure. To accommodate CCCP's items, County staff proposes entering into a sub-lease with CCCP at Renaissance Park for the construction, operation, and maintenance of the storage structure. As part of the sub-lease agreement, CCCP will also be granted workspace in the vicinity of the new facility to build, maintain and repair floats and other operations. The sub-lease to CCCP is consistent with the provision in the lease between the County and the City of Charlotte (which owns the property) that the property be used for park and recreational uses.

The County Manager will negotiate a lease consistent with the following business terms:

Location - A portion of Renaissance Park (Tax Parcel 143-281-01)

Leased Area Size - +/- 1.09 acres (with final size of leased area to be determined by site design)

Permitted Use - To store, build, repair, and maintain floats for Novant Health's Thanksgiving Day Parade and for operations related to other recreational/entertainment events.

Lease Term - Nine (9) years and 364 days

Insurance - Tenant is required to maintain liability, property, worker's compensation and any other insurance deemed necessary by the County's Risk Management Department, and name the County as an additional insured on all necessary policies.

Maintenance - CCCP is responsible for all maintenance of its leased area.

Utilities - CCCP shall have all utilities associated with its operations in its name and pay for all utilities needed for its permitted use.

Commissioner Leake removed this item from Consent for more public awareness.

18-5118 CLOSED SESSION - LAND ACQUISITION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-2 with Commissioners Cotham, Dunlap, Fuller, Harden, Rodriguez-McDowell, Powell and Scarborough voting yes and Commissioners Jerrell and Leake voting no, to Authorize the County Manager to negotiate and execute all documents necessary for acquisition of permanent greenway and storm drainage easements (+/- 3.88 acres) and a temporary construction easement (+/- 0.411 acres) on a portion of tax parcel 221-091-01 from Francena Tinsley Pelotte, Michael Tinsley, Alan Tinsley, Charles Tinsley, Yusef Fite, and Deatrice Thomas

JANUARY 15, 2019

(being all the heirs of Alice Lee Tinsley), and Tinsley-Fite Holdings, LLC for a purchase price of \$53,850 for greenway trail and stream enhancement projects on Little Sugar Creek.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:25 p.m.

Janice S. Paige, Clerk

George Dunlap, Chair